

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Michael V. Lujan,

Plaintiff,

V.

Burger King, et al.,

Defendants.

Case No. 2:21-cv-01672-APG-DJA

Report and Recommendation

The Court previously granted Plaintiff's request to proceed *in forma pauperis* and screened the complaint under 28 U.S.C. § 1915. (ECF No. 8). In doing so, the Court found that Plaintiff's complaint was deficient. (*Id.*). The Court thus dismissed Plaintiff's complaint and granted Plaintiff leave to amend the complaint. (*Id.*).

Plaintiff timely filed an amended complaint. (ECF No. 13). Upon screening Plaintiff's amended complaint, the Court again found it deficient. (ECF No. 14). The Court thus dismissed Plaintiff's amended complaint with leave to amend, giving Plaintiff until Monday, February 7, 2022 to file a second amended complaint. (*Id.*). The Court concluded that "failure to comply with this order will result in the recommended dismissal of this case." (*Id.*). To date, the Court has not received an amended complaint or any request to extend the deadline for filing one.

Accordingly,

IT IS THEREFORE RECOMMENDED that this case be dismissed without prejudice.

NOTICE

This report and recommendation is submitted to the United States District Judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely

1 objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d
2 1153, 1157 (9th Cir. 1991).

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4 DATED: March 9, 2022

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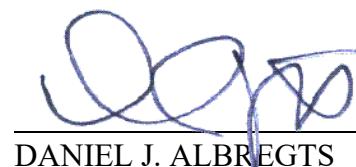
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DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE